

**IN THE UNITED STATES DISTRICT COURT FOR TENNESSEE
FOR THE MIDDLE DISTRICT
NASHVILLE DIVISION**

**DR. JAMES BAILEY,
DR. PIPPA MERIWETHER, and
DR. DAMON CATHEY,**

Plaintiffs,

v.

**THE METROPOLITAN
GOVERNMENT OF NASHVILLE AND
DAVIDSON COUNTY, TENNESSEE
AND DR. ADRIENNE BATTLE,**

Defendants.

**Case No. 3:21-cv-0122
JURY DEMAND (6)**

MOTION TO AMEND

Come the Plaintiffs, Dr. James Bailey, Dr. Pippa Meriwether, and Dr. Damon Cathey, and move this Honorable Court to allow Plaintiffs to amend their Complaint to allege violations of the Age Discrimination in Employment Act, 29 U.S.C. 621, et seq. Plaintiff Bailey received his Right to Sue letter from the EEOC on March 12, 2021, Plaintiff Meriwether received her Right to Sue letter on April 7, 2021, and Plaintiff Cathey received his Right to Sue on February 11, 2021.

The Amended Complaint also amends paragraph 131 as follows:

131. Defendants violated Tenn. Code Ann. §49-5-511(a), **Tenn. Code Ann. §49-5-512 and Tenn. Code Ann. §49-5-513**, because it ended Plaintiff Bailey's appointment without complying with any of the procedural safeguards of the Tennessee Teacher Tenure Act and without proper cause under the law. (Change in bold).

The parties have not yet entered a Case Management Order.

Pursuant to Local Rule 7.01(a)(1), Plaintiffs' counsel conferred with opposing counsel and opposing counsel does not oppose this motion.

Attached hereto is a proposed First Amended Complaint.

WHEREFORE, Plaintiffs respectfully request they be allowed to amend the Complaint as set forth in the attached Amended Complaint.

Respectfully Submitted,

/s/Ann Buntin Steiner

Ann Buntin Steiner #11697

Steiner & Steiner, LLC

613 Woodland Street

Nashville, TN 37206

Telephone: (615) 244-5063

Email: asteiner@steinerandsteiner.com

Attorney for Plaintiffs, Dr. James Bailey & Dr. Pippa Meriwether

/s/ Jesse Ford Harbison

Jesse Ford Harbison, BPR No. 032105

JESSE HARBISON LAW, PLLC

1109 N. 6th Street

Nashville, TN 37207

Telephone: (615) 415-3285

Email: jesse@jesseharbisonlaw.com

Attorney for Plaintiff, Dr. Damon Cathey

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2021, a copy of Plaintiffs' Motion to Amend was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt as follows: J. Brooks Fox, Allison L. Bussell, Melissa S. Roberge, Mallory L. Ricci, & Justin Marsh, Department of Law, Metropolitan Courthouse, Suite 108, P.O. Box 196300, Nashville, Tennessee 37219. Parties may access this filing through the Court's electronic filing system.

s/Ann Buntin Steiner

Ann Buntin Steiner